[7th January 1954

Number of cases of murder in Malabar.

* 360 Q.—Sri M. NARAYANA KURUP: Will the Hon. the Minister for Finance be pleased to state with reference to the answer to starred question 210 (186) given on 27th March 1953, whether the report called for has been received?

The Hon. Sri C. SUBRAMANIAM:—"Yes; a statement [a] giving the particulars asked for is placed on the table of the House."

Sri M. NARAYANA KURUP:—"The information furnished by the Hon. Minister justifies the observation made by the Committee that went into the working of Separation of the Judiciary from the Executive that there has been continuous deterioration in Police administration since 1945. May I know how the Government propose to meet the problem of increasing crime and decreasing detection?"

The Hon. Sri C. SUBRAMANIAM:—"Every possible step is taken now to detect crime. But, for the purpose of showing good statistics, we cannot charge innocent persons and show that we have charge-sheeted so many cases. Every attempt is being made to find out the culprit. If we are unable to find out the culprit, certainly no charge-sheet can be filed. But, if the hon. Member goes through the list of the number of cases reported and the number of cases charge-sheeted, I am sure he will be satisfied that all possible steps have been taken to detect crime."

Dr. K. B. MENON:—"On a review of the figures placed on the table of the House, it is found that only 50 per cent of the cases reported are charge-sheeted by the Police and out of the 50 per cent that are charge-sheeted, nearly half have ended in acquittal. Is it not indicative of the fact that there is something wrong with the investigation of these murder cases by the Police and will the Government kindly inquire into the matter?"

The Hon. Sri C. SUBRAMANIAM:—"It is not a question of something being wrong with the investigation but of something being wrong with the calculation by the hon. Member also. Out of 137 cases reported, 95 cases were charge-sheeted out of which—the hon. Member will be pleased to find—8 cases were undetected, 4 cases were referred as mistake of fact, 18 cases were under investigation and 12 cases were cases in which the charge abated because the murderers committed suicide. Apart from that, 14 cases are shown as pending trial. Out of 137 cases, 95 cases have been charge-sheeted. Considering that, I do not think the hon. Member is justified in saying that 50 per cent of the cases alone have been charge-sheeted."

[a] Printed as Appendix I on page 370 infra.

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SRI T. C. NARAYANAN NAMBIAR :—" Sir, in 1952 nearly 45 per cent of the cases reported, that is, 38 out of 64, were charge-sheeted out of which only 19 cases were cases of conviction, that is, 50 per cent of the cases were cases of acquittal. So, will the Hon. Minister be kind enough to discern that something is happening behind the screen and see that in order to save the lives of people, some drastic measures are taken in investigating cases? "

THE HON. SRI C. RAJAGOPALACHARI :—" The matter is becoming a question of general policy. We cannot interfere with judicial cases in this manner. It is well-known that the Executive interference with the Judiciary is objected to. Much more serious harm will be done if the Legislature takes up matters in this way on the basis of figures. Mere figures cannot decide the merits of individual cases in criminal Courts."

THE HON. SRI C. SUBRAMANIAM :—" Apart from that, I would request the hon. Member to see that out of 64 cases, 38 cases had been charge-sheeted and 13 cases were pending investigation. All the other cases were referred to as undetected or as cases in which the charge abated. Only 38 cases went up for trial out of which 9 cases have been cases of acquittal and 19 cases have been cases of conviction. Under these circumstances, I do not think there is any serious thing which has got to be looked into."

THE HON. SRI C. RAJAGOPALACHARI :—" If you will permit me, Sir, I want hon. Members to remember that matters of liberty of the person and property which are the issues in a criminal court cannot be decided by statistics of disposals."

SRI M. NARAYANA KURUP :—" We are relying on statistics not for concluding that the Government are interfering with the judiciary. But from the statistics we are drawing the conclusion that there is continuous deterioration in the efficiency of the Police. I want to know what steps the Government propose to take to increase efficiency." 9 20 a.m.

THE HON. SRI C. RAJAGOPALACHARI :—" The Police are now on the alert and will not do the thing in the manner they used to do before. The registry is more accurate now. The results may appear to be bad, but they are not bad really."

SRI S. RAMASAMY NAIDU :—" Is it not a fact that it is due to lack of co-operation from the public that cases go undetected or end in acquittal? "

THE HON. SRI C. RAJAGOPALACHARI :—" The word ' public ' is slightly erroneous. It is not want of co-operation by the public but want of co-operation by those who ought to give evidence."